

REMARKS

Claims 1-18 have been examined. Claims 1 and 15 (second occurrence)-18 have been amended. New claim 20 has been added. Reconsideration of the application, as amended, is respectfully requested.

Amendments to the Specification

The specification has been amended as requested by the Examiner to update various patent numbers.

Claim Objections

Claim 15 was objected to for including various language which the Examiner suggested be changed. For example, at line 2, the term "comprising" was requested to be changed to --comprise--, and the term "coupled" was requested to be changed to --grasped--. This objection is respectfully traversed. As currently pending, claim 15 recites that the pillow body includes a first flap and a second flap. This claim is intended to cover an embodiment such as the one illustrated in Fig. 22 which includes separate flaps 2020 and 2022. With such an embodiment, either the first flap or the second flap may be grasped to manipulate the pillow to the desired orientation. Hence, it is believed that claim 15 is clear in its language without amendment.

Counsel for the Applicant also notes that the application was filed with a second claim 15. Accordingly, the second occurrence of claim 15 along with claims 16-18 have been amended to become claims 16-19.

Drawings

Fig. 22 is objected to for being an informal drawing. A formal drawing is being prepared and will be provided with Applicant's next response.

Claim Rejections - 35 U.S.C. §102

Claims 1-3 and 5-9 have been rejected under 35 U.S.C. §102(b) as being anticipated by Matthews Brown. This rejection is respectfully traversed in part and overcome in part.

As currently amended, claim 1 claims a support pillow that comprises a pillow body having a medial region that defines the center of the pillow body. The body also includes two opposing arms that in combination with the medial region define an outer periphery and an inner periphery, with the inner periphery defining a generally open well. Further, at least one flap is coupled to the pillow body at the outer periphery to adjust the position of the pillow when worn about a user. The flap is coupled to the pillow body at a single location that is laterally offset from the center of the pillow body to facilitate easy grasping of the flap when the medial region is at the user's front side. Support for such an amendment may be found at, for example, Fig. 22 (see flap 2020).

In contrast to the support pillow of claim 1, the Matthews Brown publication describes a support pillow having a handle 134 that is coupled to a center of the pillow body at two different points. In contrast, the pillow of claim recites that the flap is coupled to the pillow body at a single location and that is laterally offset from the center of the pillow body. Hence, claim 1 is distinguishable over the cited art, and it is respectfully requested that the §102 rejection of independent claim and dependent claims 2, 3 and 5-9 be withdrawn.

Claims 4 and 10-18 have been rejected under 35 U.S.C. §102(b) as anticipated by or, in the alternative, under 35 U.S.C. §103(a) as being obvious over the Matthews Brown publication.

Regarding claim 4, this claim depends from claim 1 which is distinguishable over the Matthews Brown publication for at the least the reasons previously described.

The rejection as to independent claim 10 is respectfully traversed. As presently pending, independent claim 10 claims a method for positioning a pillow about a person. As part of the method, the pillow is placed about the person's torso and a flap on the pillow is grasped and the pillow is manipulated to a desired location about the person's torso.

While the Matthews Brown publication describes a handle 134, paragraph 77 of the Matthews Brown publication merely describes the grasping of the handle to lift the pillow off of a support surface or to transport the pillow in a vertical orientation. Nowhere in the Matthews Brown publication is there any description of placing the pillow about a person's torso and then grasping a flap and manipulating the pillow body to a desired location about the person's torso. Hence, claim 10 is distinguishable without amendment. Claims 11-19 depend from claim 10 and are distinguishable for at least the same reasons. Hence, it is respectfully requested that the §103 rejection of these claims be withdrawn.

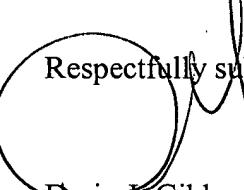
Added Claim

New claim 20 has been added to claim a pillow body having a medial region and two opposing arms. A pair of separate flaps are coupled to the pillow body at the outer periphery to adjust the position of the pillow body when worn about a user. Further, the flaps are disposed near where the two arms meet the medial region, and the flaps are positioned about 12 inches to about 20 inches apart. Since none of the cited art describes such limitations, claim 20 is also in condition for allowance.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

Darin J. Gibby
Reg. No. 38,464

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: (303) 571-4000
Fax: (303) 571-4321
DJG/cl 60385682 v1